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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	<b>CASE NO. 3:23-CR-00057-JSC</b>
	)	
Plaintiff,	)	<b><del>[PROPOSED]</del> DETENTION ORDER</b>
	)	
v.	)	
	)	
KEVIN ELISEO CHAVEZ,	)	
	)	
Defendant.	)	
_____	)	

On February 15, 2023, a federal grand jury in the Northern District of California returned an indictment charging the defendant, Kevin Eliseo Chavez, with illegally possessing a firearm and ammunition in violation of 18 U.S.C. § 922(g)(1).

This matter came before the Court on March 8, 2023, for a detention hearing. The defendant was present and represented by Assistant Federal Public Defender Elizabeth Falk. Assistant United States Attorney Jeremy Goldstein appeared on behalf of the government. The government moved for detention, and the defendant opposed. Before the hearing, pretrial services filed a Pre-Bail Report, *see* Dkt. No. 7, and the government filed a detention memorandum, *see* Dkt. No. 8. The Court reviewed both. At the hearing, counsel submitted proffers and arguments regarding detention.

Upon consideration of the facts, proffers, and arguments presented, along with arguments made

by the parties in their briefings, and for the reasons stated on the record, the Court finds clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of others or the community. Accordingly, the defendant must be detained pending trial in this matter.

The present order supplements the Court's findings and order at the detention hearing and serves as written findings of fact and a statement of reasons as required by Title 18, United States Code, Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its conclusion:

(1) The defendant has a lengthy history of dangerous conduct involving firearms and controlled substances. Over the past 20 years, the defendant has been convicted of eight felonies and several misdemeanors. He has been sentenced to a period of incarceration no fewer than nine times, including a four-year sentence for possessing or purchasing narcotics for sale in 2010 and a two-year sentence for illegally possessing a firearm in 2017. Several of his other convictions include firearm charges.

(2) The defendant has had his probation revoked at least 3 times, has been sentenced to prison for violation of parole twice, and has committed new crimes while under supervision. Defendant was under supervision at the time of the events in this case.

(3) The defendant is charged, once again, with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). When arrested, a loaded Glock model 27, .40 caliber, semi-automatic pistol with an extended magazine was found in a satchel in his possession. At the time of his arrest, the defendant was under Post Release Community Supervision by the San Francisco Adult Probation Department.

The Court finds, given the facts presented by the parties at the hearing and in their briefings and in the defendant's Pre-Bail Report, that detention is necessary to reasonably assure the safety of others and the community. These findings are made without prejudice to the defendant's right to seek review of his detention or file a motion for reconsideration if circumstances warrant it.

Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:


1. The defendant be, and hereby is, committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. The defendant be afforded reasonable opportunity for private consultation with counsel;  
and

3. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to an authorized United States Marshal for the purpose of any appearance in connection with a court proceeding.

IT IS SO ORDERED.

DATED: March 8, 2023

  
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HON. JOSEPH C. SPERO  
United States Chief Magistrate Judge